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SUBJECT: LOCAL COUNCIL ELECTIONS IN UGANDA SIGNAL TROUBLE IN 2011

¶1. (SBU) Summary: Uganda's road to achieving genuine multiparty democracy remains rocky at best, with recent nationwide local elections indicating that the Electoral Commission and political parties are unprepared for the next presidential and parliamentary elections in 2011. The lack of progress on electoral reform and failure to implement these reforms in a timely manner may jeopardize Uganda's ability to hold credible elections in 2011. Donors agree that the potential for problems exists and are working together and with the Electoral Commission to anticipate and address them. End Summary.

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Background: Local Council Elections
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¶2. (U) The Ugandan Electoral Commission (EC) conducted local council elections in 79 districts on May 21. Many of the contests were to fill newly created seats in local government structures at the town council and sub-county level. The remaining contests were held to fill vacant seats. The diplomatic community monitored elections in Kampala, Jinja, Mukono, Mityana, Wakiso, Luwero, Mbarara, Rukungiri, and Kitgum. The objective was to assess progress since the 2006 presidential and parliamentary elections and draw general conclusions and recommendations that would help guide international community engagement on electoral reform.

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Irregularities Abound
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¶3. (SBU) Overall, monitoring teams found that the voting process was peaceful and, in most of the polling stations visited, reflected the will of the people. Voter turnout was low and there were very few contentious contests. However, there were a number of irregularities and concerns that in a larger, more controversial election could be cause for conflict or possibly a rejection of the results. Observation teams reported that several polling stations opened late due to tardy polling officials, missing or delayed voting materials, and rain. Observers also recorded problems with the voter identification process, including multiple voters without voter identification cards or other identity documents, missing names, un-alphabetized voter registries, and conflict between polling officials and party agents over the identity of undocumented voters (Note: There were allegations that the ruling National Resistance Movement (NRM) party's officials brought people to the polling stations without identification to vote in the place of deceased individuals still on the list. End note).

¶4. (SBU) Monitors reported inconsistent ballot box sealing procedures, mostly believed to be the result of poor training rather than fraud. In some instances, polling officials mistakenly used regular ink instead of the indelible ink to mark voters' fingers. In at least two cases, individuals responsible for marking voters' fingers were absent from their posts. Many polling officials, party agents, and Uganda Police Force (UPF) constables appeared to lack a strong understanding of their roles and responsibilities in the voting process and thus failed at times to properly enforce

electoral laws. This, combined with limited voter education and information, often led to confusion and in some isolated instances verbal confrontation. In one district, observers reported a more serious case of ballot stuffing. Although observers reported these findings to the District Electoral Registrar, the results from the station were still considered valid and were included in the final count.

Elections Highlight Need for Electoral Reform

15. (U) Many of the problems exposed in the May 21 elections highlight the Government's lack of progress on issues raised in the Supreme Court's judgment on Forum for Democratic Change (FDC) Party President Kizza Besigye's petition to hold a re-run or conduct a recount of the 2006 presidential election. While the Supreme Court dismissed the petition, it noted that there had in fact been "non-compliance" with the Constitution, the Presidential Elections Act, and the Electoral Commission Act. The Court found that the removal of names from the voter registry had disenfranchised voters and that there were irregularities in the counting of results. The Court found that bribery, intimidation, violence, multiple voting, and ballot stuffing had also infringed on voters' rights. The Court expressed "grave concern" over the involvement of security forces in elections where acts of intimidation, violence, and the partisan harassment occurred. The Court called on the relevant Government institutions to "urgently" address these concerns to "improve electoral democracy." To date, the Government has taken few steps to address these concerns.

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Opposition Coalition & Civil Society Push for Electoral Reform

16. (SBU) Opposition parties and civil society, which remain weak and largely uncoordinated, have pressed the Government to move forward with electoral reform. The Inter-Party Cooperation (IPC), a loose opposition party coalition, called for the removal of security organs from the electoral process; an independent and impartial EC; increased training for EC administrators and polling officials; a revision of the voter registry and display process; and increased voter education. In addition, other reforms proposed include: revising the vote tallying process; addressing political party and EC funding; and avoiding the late enactment of electoral laws and regulations. IPC warned that if reforms proposed were not implemented, it would be impossible to hold "free and fair elections, have political stability, or build strong political institutions." Moreover, civil society groups stress that civic and voter education is critically needed and that the EC must become more impartial in its activities.

Resources and Political Will Hinder Greater EC Movement

17. (SBU) The EC in early 2007 proposed 18 electoral reforms to the Ministry of Justice and Constitutional Affairs to address some of the Supreme Court's concerns. To date, however, there has been virtually no movement on the EC's proposals. Another challenge to electoral reform is a lack of intuiitional resources. The EC proposed a three-year phased funding plan to implement its 2010-2011 General Elections Roadmap, estimated at USD 75 million. However, there is no indication that the Finance Ministry will release the amount requested in the timeframe proposed. Electoral officials have stressed that the timely release of funding is essential to holding credible elections in 2011. The apparent lack of political commitment to address the EC's needs has eroded its credibility and supported the widely held view that the electoral body is a "tool" of the ruling party.

Comment

18. (SBU) In our view, the conduct of free and fair elections will require an impartial and adequately-funded EC and an agreement between President Museveni and the political opposition on a way forward for the 2011 elections. We will press the opposition parties to take President Museveni up on his promise to the donor community to consider EC candidates proposed by the opposition as long as they are "persons of integrity." Civil society groups that monitor the electoral process and provide information to citizens will need to get better organized and obtain sufficient funding to carry out their activities.

19. (SBU) Post is coordinating with other Missions to encourage the GOU to undertake timely electoral reform and promote multiparty democracy. We are implementing a program to support the EC and political party development through the National Democratic Institute (NDI) and the International Republican Institute (IRI). However, funding under this program to support electoral reform is limited. Post has submitted an Economic Support Fund proposal and a request to USAID's Elections and Political Process program for additional funds to support electoral reform. Our highest priority remains timely and adequate funding for the electoral mechanisms in advance of the 2011 elections. End Comment.
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